

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Paul J. Rudeck  
 Attorney Docket No.: 400.178US02  
 Title: VERTICAL FLOATING GATE TRANSISTOR

22386 U.S. PTO  
 10/719422



Commissioner for Patents  
 MS Patent Application  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet:

☒ Incorporate by Reference: *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*

☒ **DIVISIONAL** of prior Patent Application Serial No. 10/229,476 filed August 28, 2002 and titled, "VERTICAL FLOATING GATE TRANSISTOR," which is incorporated herein by reference and claims priority under 37 CFR 1.53(b) comprising:

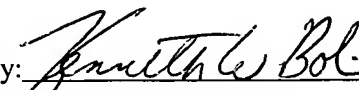
- ☒ Specification 13 pgs., including claims numbered 1-12 and a 1 page abstract;
- ☒ 9 Sheets of Formal drawings;
- ☒ A copy of the Declaration from prior application (3 pgs.);
- ☒ A copy of Power of Attorney from prior application (1 pg.);
- ☒ Prior application is assigned of record to: Micron Technology, Inc.;
- ☒ A Communication Regarding Divisional Application (1 pg.);
- ☒ Information Disclosure Statement (1 pg.) and Form 1449 (1 pg.) -- References not enclosed, cited in prior application;
- ☒ A check in the amount of \$770.00 to cover the filing fee, which is calculated below:

**PLEASE CHARGE FOR ANY ADDITIONAL FEES OR CREDIT OVERPAYMENT TO  
 DEPOSIT ACCOUNT 501373**

**CUSTOMER NUMBER 27073**

APPLICATION FILING FEE					
	Number of Claims Filed (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	12	- 20 =	0	x \$18 =	\$
Independent Claims	3	- 3 =		x \$86 =	\$
One or More Multiple Dependent Claims Presented? If Yes, Enter \$260 Here *					\$
Enter Basic Filing Fee (Utility Patent-\$770.00) Here *					\$ 770.00
<b>Total Application Filing Fee</b>					<b>\$ 770.00</b>

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**Express Mail" mailing label number: EV306296094US Date of Deposit: November 21, 2003**

These papers and fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(LARGE ENTITY TRANSMITTAL UNDER 37 C.F.R. 1.10)

First Named Inventor	Paul J. Rudeck	<p align="center"><b><u>COMMUNICATION</u></b>  <b><u>REGARDING DIVISIONAL</u></b>  <b><u>APPLICATION</u></b></p>
Serial No.	Unknown	
Filing Date	Herewith	
Group Art Unit	Unknown	
Examiner Name	Unknown	
Attorney Docket No.	400.178US02	
Title: VERTICAL FLOATING GATE TRANSISTOR		

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Prior to taking the above-entitled patent application under examination, please review the following comments:

**COMMENTS**

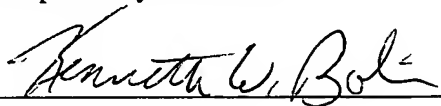
This is a divisional application of U. S. Serial No. 10/229,476 (heretofore '476), titled "VERTICAL FLOATING GATE TRANSISTOR" and filed August 28, 2002 (allowed). The '476 application was subjected to a Restriction Requirement by Examiner Chandra P. Chaudhari in a communication mailed December 13, 2002. Claims 1-10 of the present divisional application correspond to non-elected claims 11-20 of the '476 application. Applicant contends that the remaining claims of the present divisional application comport with the definition of the non-elected claims of the '476 application, and are thus properly presented for examination.

Applicant further contends that all claims find support in the original priority document as filed and thus do not constitute new matter.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at 612 312 2204.

Respectfully submitted,

Date: 11/21/03

  
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